

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv0794-BB

RIO CHAMA STREAM SYSTEM  
Section 7: Village of Chama

Subfile No. CHCV-001-0009A

**MOTION FOR SUBSTITUTION OF PARTIES**

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and pursuant to Fed. R. Civ. Pro. 25(c) moves the Court to issue its order substituting Debra K. Zimbelman for defendants J. F. Koontz and Ella D. Koontz in these proceedings and as grounds states the following:

1. J. F. Koontz and Ella D. Koontz have conveyed their interest in the land and water rights under subfile CHCV-001-0009A to Debra K. Zimbelman by deed dated August 10, 2007.

WHEREFORE the State requests the Court to enter its order substituting Debra K. Zimbelman for defendants J. F. Koontz and Ella D. Koontz in these proceedings.

Dated: February 23, 2009

Respectfully submitted,

/s/ Ed Newville  
EDWARD G. NEWVILLE  
Special Assistant Attorney General  
Office of State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 867-7444 phone  
(505) 867-2299 facsimile

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 23<sup>rd</sup> day of February, 2009 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM-ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Debra K. Zimbelman  
2 Ronnie Road  
Golden, CO 80403

/s/ Ed Newville  
EDWARD G. NEWVILLE